THE HONOURABLE SRI JUSTICE

A.GOPAL REDDY

W.P.No.6727 of 2006

Dt.06-04-2006

Between:

1. N.Narsing Rao and others.

..Petitioners

and

1.The Joint Collector, R.R.District, Lakdikapool,

Hyderabad and others.

..Respondents.

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ORAL ORDER:

It is not in dispute that succession proceedings No.B2/2491/89 dated 07-03-1990 were granted in favour of the respondents by the Joint Collector, Rangareddy District for recording their names in pattedar column against the suit schedule land. Since the same has not been implemented in the revenue records, respondents

approached the M.R.O. for implementation of the succession granted by the Joint Collector under the Andhra Pradesh (Telangana Area) Atiyat Enquiries Act, 1952. Accordingly, M.R.O. carried out the succession granted by the Joint Collector recording their names in the light of the earlier order in the year 1990. Petitioners, if aggrieved by the succession granted, ought to have questioned before the appropriate authorities, but on implementing the succession in the revenue records under the provisions of A.P. Rights in Land and Pattedar Pass Books Act, 1971 (for short "the Act") filed an appeal before the R.D.O. against the mutation of records. The R.D.O. by proceedings No.C/278/2001 dated 05-04-2002 dismissed the appeal holding that the appeal filed by the petitioners is beyond the period of limitation and failed to explain sufficient reasons for condoning the delay. Aggrieved by the dismissal of appeal petitioners preferred the revision under Section 9 of the Act before the Joint Collector and the same has been dismissed stating that the petitioners are claiming to be the protected tenants of Inam lands and if the subject lands are Inam lands, they ought to have approached the Inams Tribunal under Section 7 of the Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1955 for grant of occupancy rights and only on granting occupancy rights, the person will have incidental right under Section 9 of the Act to record their names as Pattedars pursuant to the succession. In view of the same, petitioners cannot question the succession granted in favour of the Pattedars.

Learned counsel for the petitioners in not in a position to say how the petitioners are aggrieved by the succession granted in favour of the original Inamdas/Pattedars, as the case may be. Since their rights are not affected by mutation, petitioners, if have any right under A.P. (Telangana Area) Abolition of Inams Act, 1955 they can make an application for granting occupancy rights which has to be enquired by the R.D.O. If any occupancy certificate is granted in favour of the petitioners under Section 7 of Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1955 they can make an application for correction of the entries in the revenue records as per the occupancy certificate granted in favour of respondents. In view of the same, no illegality is discernable to the impugned order warranting interference.

The writ petition is accordingly dismissed. No costs.

A.GOPAL REDDY,J

06-04-2006

Murthy